

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

D&T PARTNERS, LLC (successor in interest  
to ACET VENTURE PARTNERS, LLC),

Plaintiffs,

v.

BAYMARK PARTNERS, LP; BAYMARK  
PARTNERS MANAGEMENT, LLC; SUPER  
G CAPITAL, LLC; SG CREDIT PARTNERS,  
INC.; BAYMARK ACET HOLDCO, LLC;  
BAYMARK ACET DIRECT INVEST, LLC;  
BAYMARK PARTNERS; DAVID HOOK;  
TONY LUDLOW; MATTHEW DENEGRE;  
WILLIAM SZETO; MARC COLE; STEVEN  
BELLAH; ZHEXIAN “JANE” LIN; DANA  
MARIE TOMERLIN; PADASAMAI  
VATTANA; PAULA KETTER; VANESSA  
TORRES; WINDSPEED TRADING, LLC;  
HALLETT & PERRIN, P.C.; and JULIE A.  
SMITH,

Defendants.

Civil Action No. 3:21-CV-01171-B

**DEFENDANTS’ UNOPPOSED MOTION TO EXTEND DEADLINE TO FILE  
REPLIES IN SUPPORT OF THEIR RESPECTIVE MOTIONS TO DISMISS  
PLAINTIFF’S SECOND AMENDED COMPLAINT**

COME NOW Defendants Baymark Partners Management, LLC; Baymark ACET Holdco, LLC; Baymark ACET Direct Invest, LLC; Baymark Partners; David Hook; Tony Ludlow; Matthew Denegre; Baymark Management, LLC; Super G Capital, LLC; Steven Bellah; Windspeed Trading, LLC; William Szeto; Zhexian “Jane” Lin; Dana Marie Tomerlin; Padasamai Vattana; Vanessa Torres; Hallett & Perrin, P.C.; Julie A. Smith; SG Credit Partners, Inc.; and Marc Cole; (collectively, “Defendants”) and file their Unopposed Motion to Extend Deadline to File Replies in Support of Their Respective Motions to Dismiss Plaintiff’s Second Amended

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Complaint (herein “Motions to Dismiss SAC”). Defendants respectfully request the Court extend the deadline for all Defendants to file their respective Replies to on or before September 20, 2022, as authorized by Federal Rule of Civil Procedure 6(b).

**I. PROCEDURAL BACKGROUND**

1. Defendants filed the following Motions to Dismiss with respect to Plaintiffs’ Second Amended Complaint (along with and/or including Briefs in support of same) on July 22, 2022:

- Defendants SG Credit Partners, Inc.’s and Marc Cole’s Motion to Dismiss Plaintiffs’ Second Amended Complaint [Docket No. 96];
- Defendants Hallett & Perrin, P.C. and Julie A. Smith’s Motion to Dismiss Plaintiff’s Second Amended Complaint and Brief in Support [Docket No. 97];
- Defendants Super G Capital LLC’s and Steven Bellah’s Motion to Dismiss Plaintiff’s Second Amended Complaint [Docket Nos. 98, 99];
- Windspeed Employees’ Motion to Dismiss Second Amended Complaint Claims Pursuant to Rule 12(b)(6) [Docket No. 101];
- Windspeed and Mr. Szeto’s Motion to Dismiss Second Amended Complaint Claims Pursuant to Rule 12(b)(6) [Docket No. 102];
- Defendant Baymark ACET Holdco, LLC’s Motion to Dismiss Plaintiff’s Second Amended Complaint and Brief in Support [Docket No. 103];
- Baymark Defendants’ Motion to Dismiss Plaintiff’s Second Amended Complaint and Brief in Support [Docket No. 105]; and
- Defendants David Hook and Tony Ludlow’s Motion to Dismiss Plaintiff’s Second Amended Complaint and Brief in Support [Docket No. 107].

2. Without opposition, Plaintiff sought and received an extension of time to file its Responses to the Motions to Dismiss SAC to September 2, 2022 [*see* Docket No. 110].

3. Plaintiff timely filed its Responses to the Motions to Dismiss SAC on September 2, 2022, which was the Friday before the Labor Day holiday weekend. [Docket Nos. 113-120].

4. Currently, Defendants' Replies in support of the Motions to Dismiss SAC are due on Friday, September 16, 2022. To allow all Defendants sufficient time to prepare and file their respective Replies in support of their Motions to Dismiss SAC, particularly in light of the recent holiday weekend, Defendants are requesting a four-day extension of this deadline, up to and including Tuesday, September 20, 2022. Plaintiff's counsel has indicated that Plaintiff is not opposed to this short extension of time.

## **II. ARGUMENT**

5. A court may grant a request to extend time for good cause. Fed. R. Civ. P. 6(b)(1)(A); *Doss v. Helpenstell*, 699 F. App'x 337, 339 (5th Cir. 2017) ("A district court's decision to grant a request for an extension of time is reviewed only for an abuse of discretion.").

6. As noted above, Defendants seek to extend the deadline for them to file their respective Replies in support of their Motions to Dismiss SAC.

7. Good cause exists for the requested extension, and it is not being sought for purposes of delay.

### **III. PRAYER**

WHEREFORE, Defendants respectfully request that the Court enter an order extending the deadline for all Defendants to file their respective Replies in support of their Motions to Dismiss SAC to September 20, 2022.

Respectfully submitted,

**HALLETT & PERRIN, P.C.**

By: /s/ Edward P. Perrin, Jr.

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**CERTIFICATE OF CONFERENCE**

Undersigned counsel certifies that counsel for Plaintiff, Jason Freeman, has indicated, through a series of e-mails, that he is unopposed to the relief sought herein.

/s/ Edward P. Perrin, Jr.  
Edward P. Perrin, Jr.

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing to be served on counsel of record on September 9, 2022 via the Court's CM/ECF system pursuant to the local rules of this Court.

/s/ Edward P. Perrin, Jr.  
Edward P. Perrin, Jr.